



Missouri Department of dnr.mo.gov  
**NATURAL RESOURCES**  
Michael L. Parson, Governor Carol S. Comer, Director

**MAR 10 2020**

Rick Krejci  
Kinder Morgan Transmix Company, LLC  
4070 South First Street  
St. Louis, MO 63118

Re: Kinder Morgan Transmix Company, LLC,  
Installation ID: 510-2939, Permit Number: OP2020-008

Dear Rick Krejci:

Enclosed with this letter is your intermediate operating permit. Please review this document carefully. Operation of your installation in accordance with the rules and regulations cited in this document is necessary for continued compliance. It is very important that you read and understand the requirements contained in your permit.

This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request a CAV, please contact your local regional office or fill out an online request. The regional office contact information can be found at <http://dnr.mo.gov/regions/>. The online CAV request can be found at <http://dnr.mo.gov/cav/compliance.htm>.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Berhanu Getahun at the St. Louis Regional Office, 7545 S. Lindbergh, Suite 210, St. Louis, MO 63125, or by telephone at (314) 416-2960. You may also contact me with the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Michael J. Stansfield, P.E.  
Operating Permit Unit Chief

MJS/bg

Enclosures

c: PAMS File: 2015-04-028



## INTERMEDIATE STATE PERMIT TO OPERATE

Under the authority of RSMo 643 and the Federal Clean Air Act the applicant is authorized to operate the air contaminant source(s) described below, in accordance with the laws, rules, and conditions set forth herein.

**Intermediate Operating Permit Number:** OP2020-008  
**Expiration Date:** MAR 10 2025  
**Installation ID:** 510-2939  
**Project Number:** 2015-04-028

**Installation Name and Address**

Kinder Morgan Transmix Company, LLC  
4070 South First Street  
St. Louis, MO 63118  
City of St. Louis

**Parent Company's Name and Address**

Kinder Morgan  
1000 Windward Concourse, Suite 450  
Alpharetta, Ga 30005

**Installation Description:**

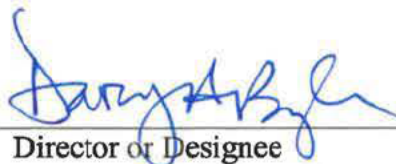
The Kinder Morgan Transmix Terminal in St. Louis, Missouri is a bulk transport loading facility for Gasoline and Fuel Oil Products.

The products are bottom loaded at the loading racks into transport tankers at the Kinder Morgan Transmix terminal. The terminal is equipped to load Regular and Premium Unleaded Gasoline and also various grades of distillate fuels onto transports.

The installation is a synthetic minor source of volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) and a minor source of particulate matter less than ten microns in diameter (PM<sub>10</sub>), sulfur oxides (SO<sub>x</sub>), nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO).

**MAR 10 2020**

Effective Date



Director or Designee  
Department of Natural Resources

# INTERMEDIATE STATE PERMIT TO OPERATE

Under the authority of RSMo 643 and the Federal Clean Air Act the applicant is authorized to operate the air contaminant source(s) described below, in accordance with the laws, rules, and conditions set forth herein.

**Intermediate Operating Permit Number: OP2020-008**

**Expiration Date:**

**Installation ID: 510-2939**

**Project Number: 2015-04-028**

**Installation Name and Address**

Kinder Morgan Transmix Company, LLC  
4070 South First Street  
St. Louis, MO 63118  
City of St. Louis

**Parent Company's Name and Address**

Kinder Morgan  
1000 Windward Concourse, Suite 450  
Alpharetta, Ga 30005

**Installation Description:**

The Kinder Morgan Transmix Terminal in St. Louis, Missouri is a bulk transport loading facility for Gasoline and Fuel Oil Products.

The products are bottom loaded at the loading racks into transport tankers at the Kinder Morgan Transmix terminal. The terminal is equipped to load Regular and Premium Unleaded Gasoline and also various grades of distillate fuels onto transports.

The installation is a synthetic minor source of volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) and a minor source of particulate matter less than ten microns in diameter (PM<sub>10</sub>), sulfur oxides (SO<sub>x</sub>), nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO).

---

Effective Date

---

Director or Designee  
Department of Natural Resources

## Table of Contents

<b>I. INSTALLATION EQUIPMENT LISTING .....</b>	<b>3</b>
EMISSION UNITS WITH LIMITATIONS .....	3
EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS .....	4
<b>II. PLANT WIDE EMISSION LIMITATIONS.....</b>	<b>5</b>
PERMIT CONDITION PW001 .....	5
10 CSR 10-6.065(2)(O) and 10 CSR 10-6.065(4)(C)2. Voluntary Limitation(s) .....	5
<b>III. EMISSION UNIT SPECIFIC EMISSION LIMITATIONS .....</b>	<b>7</b>
GASOLINE STORAGE TANKS, LOADING RACKS, DISTILLATION COLUMN AND PIPING.....	7
Permit Condition (EU-05, EU-10, EU-14 through EU-17) – 001,.....	7
Permit Condition (EU-18 and EU-25) – 001, and .....	7
Permit Condition (EU-30 and EU-32) – 001 .....	7
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations .....	7
40 CFR Part 63, Subpart BBBBBB — National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities .....	7
Permit Condition (EU-05, EU-10, EU-14 through EU-17) – 002, and .....	13
Permit Condition (EU-18 and EU-25) – 002.....	13
10 CSR 10-5.220 Control of Emissions During Petroleum Liquid Storage, Loading, and Transfer .....	13
Permit Condition (EU-18) – 003 .....	15
10 CSR 10-6.060 Construction Permits Required .....	15
St. Louis City APCP Construction Permit No. 02-11-025, Issued March 25, 2003.....	15
Permit Condition (EU-25) – 003 .....	16
10 CSR 10-6.060 Construction Permits Required .....	16
St. Louis City APCP Construction Permit No. 97-06-067, Issued September 30, 1997 .....	16
St. Louis City APCP Construction Permit No. 07-08-015, Issued October 12, 2007 .....	16
EU-27 – ADDITIVE STORAGE TANK 4 .....	17
Permit Condition (EU-27) – 001 .....	17
10 CSR 10-6.060 Construction Permits Required .....	17
New Source Review Permit Amendment - Permit No.: 96-02-013A, Issued December 29, 2014 .....	17
EU-33 – PROCESS HEATER FOR DISTILLATION COLUMN.....	18
Permit Condition (EU-33) – 001 .....	18
10 CSR 10-6.261 Control of Sulfur Dioxide Emissions .....	18
<b>IV. CORE PERMIT REQUIREMENTS .....</b>	<b>19</b>
<b>V. GENERAL PERMIT REQUIREMENTS.....</b>	<b>25</b>
<b>VI. ATTACHMENTS .....</b>	<b>29</b>
Attachment A - VOC and HAP Calculation Methods.....	30
Attachment B - Highest Individual HAP Emission Tracking Sheet.....	31
Attachment C - Total HAPs Emission Tracking Sheet .....	32
Attachment D - Plant-Wide VOC Emissions Tracking Sheet .....	33
Attachment E – Truck Loading of Ethanol and Gasoline Compliance Worksheet .....	34
Attachment F – Barge Loading of Gasoline and Ethanol Compliance Worksheet Permit .....	35
Attachment H - Inspection/Maintenance/Repair/Malfunction Log .....	37

## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

The following list provides a description of the equipment at this installation which emits air pollutants and identified as having unit-specific emission limitations.

Emission Unit #	Description of Emission Unit	Year Installed or Modified
<b>Internal Floating Roof Storage Tanks</b>		
EU-05	Tank 92 – 304,500 Gallon Gasoline Storage Tank	1948
EU-09	Tank 87 – 330,300 Gallon Ethanol Storage Tank	1941
EU-10	Tank 88 – 330,300 Gallon Gasoline and Toluene Storage Tank	1941
EU-14	Tank 601 – 2,231,640 Gallon Transmix (Gasoline and Diesel) Tank	1971
EU-15	Tank 89 – 875,360 Gallon Gasoline Blend Storage Tank	1941
EU-16	Tank 93 – 11,458,360 Gallon Gasoline Storage Tank	1941
EU-17	Tank 94 – 1,904,110 Gallon Gasoline Storage Tank	1941
<b>Loading Racks</b>		1947
EU-18	Gasoline/Blends and Ethanol Truck Loading Rack	
EU-25	Barge Loading of Gasoline, Ethanol, and Diesel	
EU-27	Tank 4 - 1,000 Gallon Horizontal Fixed Roof Additive Storage Tank	1971
EU-30	Piping	1947
EU-32	Distillation Column	1947
EU-33	Process Heater for Distillation Column	1947

**EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS**

The following list provides a description of the equipment, which does not have unit specific limitations at the time of permit issuance.

Emission Unit #	Description of Emission Unit
EU-08	Tank 973 – 980,280 Gallon Vertical Fixed Roof Diesel Fuel No. 2 Storage Tank (Installed: 1966)
EU-19	Diesel Fuel No. 2 Truck Loading Rack
EU-13	Tank 599 – 2,699,260 Gallon Fixed Roof Diesel Fuel No. 2 Storage Tank (Installed: 1971)
EU-22	Tank 1 – 8,000 Gallon Additive Storage Tank
EU-23	Tank 2 – 8,000 Gallon Additive Storage Tank
EU-26	Tank 3 – 280 Gallon Additive Storage Tank
EU-28	Tank 5 – 12,000 Gallon Additive Storage Tank
EU-29	Tank 6 – 10,000 Gallon Additive Storage Tank
EU-34	Tank 90 – 1,708,350 Gallon Internal Floating Roof Diesel Fuel No. 2 Storage Tank (Installed: 1941)
EU-35	Tank 91 – 1,708,350 Gallon Internal Floating Roof Diesel Fuel No. 2 Storage Tank (Installed 1941)
EU-36	Oil/Water Separator

## II. Plant Wide Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Limitations.

### PERMIT CONDITION PW001

10 CSR 10-6.065(2)(O) and 10 CSR 10-6.065(4)(C)2. Voluntary Limitation(s)

#### **Emission Limitation:**

- 1) Volatile Organic Compounds (VOCs) Emission Limitations:
  - a) The permittee shall emit less than 100.0 tons of VOCs in any consecutive 12-month period from the entire installation.
- 2) Hazardous Air Pollutants (HAP) Emission Limitations:
  - a) The permittee shall emit less than 25.0 tons of combined HAPs in any consecutive 12-month period from the entire installation.
  - b) The permittee shall emit less than ten tons of each individual HAP in any consecutive 12-month period from the entire installation.

#### **Monitoring/Recordkeeping:**

- 1) The permittee shall retain data sufficient to demonstrate compliance with Emission Limitations 1)a), 2)a), and 2)b). This data shall include at a minimum:
  - a) The date (month and year).
  - b) The amount of VOC material and HAP material handled by each emission unit during the month.
  - c) MSDS for each material containing VOC and/or HAP.
  - d) Emission calculations and/or spreadsheets using the calculation methods/formulas in Attachment A.
  - e) Monthly VOC, combined HAP, and individual HAP emissions totals.
  - f) 12-Month rolling VOC, combined HAP, and individual HAP emissions totals
  - g) Example forms are attached as Attachment B, C, and D. The permittee may use these forms, or forms of its own, so long as the forms used will accurately demonstrate compliance with the VOC and HAPs emission limitation.
- 2) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include Material Safety Data Sheet (MSDS) for all materials used.
- 3) Recordkeeping shall be accomplished in accordance with the requirements of 10 CSR 10-6.065, §(4)(C)1 and §(5)(C)1.C, General Recordkeeping and Reporting Requirements, as stated in Section V of this permit.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than ten days after the end of the month during which the records indicate that the source exceeds the emissions limitations.
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.



### III. Emission Unit Specific Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance.

<b>Gasoline Storage Tanks, Loading Racks, Distillation Column and Piping</b>	
<b>Emission Unit</b>	<b>Description</b>
EU-05	Tank 92 – 304,500 Gallon Gasoline Storage Tank; Vertical storage tank with internal floating roof.
EU-10	Tank 88 – 330,300 Gallon Gasoline and Toluene Storage Tank; Toluene stored during RVP season. Vertical storage tank with internal floating roof.
EU-14	Tank 601 – 2,231,640 Gallon Gasoline and Diesel Mix (Transmix) Storage Tank; Vertical storage tank with internal floating roof.
EU-15	Tank 89 – 875,360 Gallon Gasoline Blend Storage Tank; Vertical storage tank with internal floating roof.
EU-16	Tank 93 – 11,458,360 Gallon Gasoline Storage Tank; Vertical storage tank with internal floating roof.
EU-17	Tank 94 – 1,904,110 Gallon Gasoline Storage Tank; Vertical storage tank with internal floating roof.
EU-18	Gasoline/Blend and Ethanol Truck Loading Rack; With vapor recovery unit (carbon)
EU-25	Barge Loading – Barge loading of ethanol, gasoline and diesel; Submerged fill loading for gasoline and ethanol
EU-30	Piping – Valves, Flanges and Pumps
EU-32	Distillation Column – Separates transmix into diesel and gasoline

**Permit Condition (EU-05, EU-10, EU-14 through EU-17) – 001,  
Permit Condition (EU-18 and EU-25) – 001, and  
Permit Condition (EU-30 and EU-32) – 001**

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations

40 CFR Part 63, Subpart BBBBBB — National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities

**Operational Limitation:**

1) *Gasoline Storage Tanks, Loading Racks, Distillation Column and Piping:*

- a) The permittee must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [§63.11085(a)]
- b) The permittee shall perform a monthly leak inspection of all equipment in gasoline service, as defined in §63.11100. For this inspection, detection methods incorporating sight, sound and smell are acceptable. [§63.11089(a)]

- c) A log book shall be used and shall be signed by the permittee at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. [§63.11089(b)]
- d) The permittee shall attempt to repair any leaks within five calendar days of initial detection. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, unless a repair is not feasible within 15 days. [§63.11089(c)]
- e) Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The owner or operator shall provide in the semiannual report specified in §63.11095(b), the reason(s) why the repair was not feasible and the date each repair was completed. [§63.1089(d)]

2) *Storage Tanks:*

The permittee shall comply with each emission limit and management practice (listed below) for each internal floating roof gasoline storage tank with a capacity greater than or equal to 75 cubic meters (19.813 gallons). [§63.11087(a) and Table 1 to 40 CFR Part 63, Subpart BBBBBB]

- a) Reduce emissions of total organic hazardous air pollutants (HAP) or total organic compounds (TOC) by 95 weight-percent with a closed vent system and control device as specified in §60.112b(a)(3); or [Item 2(a) of Table 1]
- b) The permittee shall equip each internal floating roof gasoline storage tank according to the requirements in 40 CFR §60.112b(a)(1), except for the secondary seal requirements under 40 CFR §60.112b(a)(1)(ii)(B) and the requirements in 40 CFR §60.112b(a)(1)(iv) through (ix); and [Item 2(b) of Table 1]
- c) Equip and operate each internal and external floating roof gasoline storage tank according to the applicable requirements in §63.1063(a)(1) and (b), except for the secondary seal requirements under §63.1063(a)(1)(i)(C) and (D), and equip each external floating roof gasoline storage tank according to the requirements of §63.1063(a)(2) if such storage tank does not currently meet the requirements of §63.1063(a)(1); or [Item 2(c) of Table 1]
- d) Equip and operate each internal and external floating roof gasoline storage tank according to the applicable requirements in §63.1063(a)(1) and (b), except for the secondary seal requirements under §63.1063(a)(1)(i)(C) and (D), and equip each external floating roof gasoline storage tank according to the requirements of §63.1063(a)(2) if such storage tank does not currently meet the requirements of §63.1063(a)(1). [Item 2(d) of Table 1]

3) *Loading Racks:*

The permittee shall comply with each emission limit and management practice (listed below) for loading racks with a gasoline throughput (total of all racks) of 250,000 gallons per day, or greater. Gallons per day is calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365.

[§63.11088(a) and Table 2 to 40 CFR Part 63, Subpart BBBBBB]

- a) Equip the loading rack(s) with a vapor collection system designed to collect the TOC vapors displaced from cargo tanks during product loading; and [Item 1(a) of Table 2]
- b) Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack; and [Item 1(b) of Table 2]
- c) Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack or lane from passing through another loading rack or lane to the atmosphere; and [Item 1(c) of Table 2]
- d) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in 40 CFR §60.502(e) through (j). For the purposes of this section, the term "tank truck" as used in 40 CFR §60.502(e) through (j) means "cargo tank" as defined in §63.11100. [Item 1(d) of Table 2]

**4) General Provisions:**

The permittee shall comply with the general provisions of 40 CFR §63.1 through 15 that apply as indicated in Table 3 of 40 CFR Part 63, Subpart BBBBBB. [§63.11098]

**Testing and Monitoring:**

- 1) The permittee shall operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processor systems, as specified in §63.11092(b)(1), (3) through (5). [§63.11092(b)]
  - a) The permittee may determine the monitored operating parameter value according to the provisions in paragraph (b)(5)(i) or paragraph (b)(5)(ii) of this section (listed below). [§63.11092(b)(5)]
    - i) (i) The permittee must monitor an operating parameter that has been approved by the Administrator and is specified in your facility's current enforceable operating permit. At the time that the Administrator requires a new performance test, you must determine the monitored operating parameter value according to the requirements specified in paragraph (b) of this section. [§63.11092(b)(5)(i)]
    - ii) (ii) Determine an operating parameter value based on engineering assessment and the manufacturer's recommendation and submit the information specified in paragraph (b)(4) of this section for approval by the Administrator. At the time that the Administrator requires a new performance test, you must determine the monitored operating parameter value according to the requirements specified in §63.11092(b). [§63.11092(b)(5)(ii)]
- 2) For performance tests performed after the initial test required under paragraph (a) of this section, the permittee shall document the reasons for any change in the operating parameter value since the previous performance test. [§63.11092(c)]
- 3) The permittee shall comply with the requirements in §63.11092(d)(1) through (4) (listed below). [§63.11092(d)]
  - a) Operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the operating parameter value for the parameters described in §63.11092(b)(1). [§63.11092(d)(1)]
  - b) In cases where an alternative parameter pursuant to §63.11092(b)(1)(iv) or §63.11092(b)(5)(i) of is approved, the permittee shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. [§63.11092(d)(2)]
  - c) Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as appropriate, shall constitute a violation of the emission standard in §63.11088(a), except as specified in §63.11092(d)(4). [§63.11092(d)(3)]
  - d) For the monitoring and inspection, as required under §63.11092(b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2), malfunctions that are discovered shall not constitute a violation of the emission standard in §63.11088(a) if corrective actions as described in the monitoring and inspection plan are followed. The permittee must: [§63.11092(d)(4)]
    - i) Initiate corrective action to determine the cause of the problem within 1 hour; [§63.11092(d)(4)(i)]
    - ii) Initiate corrective action to fix the problem within 24 hours; [§63.11092(d)(4)(ii)]
    - iii) Complete all corrective actions needed to fix the problem as soon as practicable consistent with good air pollution control practices for minimizing emissions; [§63.11092(d)(4)(iii)]
    - iv) Minimize periods of start-up, shutdown, or malfunction; and [§63.11092(d)(4)(iv)]
    - v) Take any necessary corrective actions to restore normal operation and prevent the recurrence of the cause of the problem. [§63.11092(d)(4)(v)]

- 4) For gasoline storage tanks equipped with an internal floating roof, the permittee must perform inspections of the floating roof system according to the requirements of §60.113b(a) if you are complying with option 2(b) in Table 1 to 40 CFR Part 63, Subpart BBBBBB, or according to the requirements of §63.1063(c)(1) if you are complying with option 2(d) in Table 1 to 40 CFR Part 63, Subpart BBBBBB. . [§63.11092(e)(1)]
- 5) The annual certification test for gasoline cargo tanks shall consist of the test methods specified in paragraphs (f)(1) or (f)(2) of §63.11092. [§63.11092(f)]
- 6) *Conduct of performance tests.* Performance tests conducted for this subpart shall be conducted under such conditions as the Administrator specifies to the permittee, based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Upon request, the permittee shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests. [§63.11092(g)]

**Recordkeeping:**

- 1) The permittee shall use a log book and the log book shall be signed by the permittee at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. [§63.11089(b)]
- 2) The permittee shall keep records for at least 5 years. [§63.11094(a)]
- 3) The permittee shall keep records of the test results for each gasoline cargo tank loading at the facility as specified in paragraphs (b)(1) through (3) of §63.11094 (listed below). [§63.11094(b)]
  - a) The permittee shall keep records of the test results for each gasoline cargo tank loading at the facility as specified in paragraphs (b)(1) through (3) of §63.11094. [§63.11094(b)]
    - i) Annual certification testing performed under §63.11092(f)(1) and periodic railcar bubble leak testing performed under §63.11092(f)(2). [§63.11094(b)(1)]
    - ii) The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information: [§63.11094(b)(2)]
      - (1) *Name of test:* Annual Certification Test—Method 27 or Periodic Railcar Bubble Leak Test Procedure. [§63.11094(b)(2)(i)]
      - (2) Cargo tank owner's name and address. [§63.11094(b)(2)(ii)]
      - (3) Cargo tank identification number. [§63.11094(b)(2)(iii)]
      - (4) Test location and date. [§63.11094(b)(2)(iv)]
      - (5) Tester name and signature. [§63.11094(b)(2)(v)]
      - (6) *Witnessing inspector*, if any: Name, signature, and affiliation. [§63.11094(b)(2)(vi)]
      - (7) *Vapor tightness repair:* Nature of repair work and when performed in relation to vapor tightness testing. [§63.11094(b)(2)(vii)]
      - (8) *Test results:* Test pressure; pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition. [§63.11094(b)(2)(viii)]
- 4) As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in paragraph (b) of §63.11094, the permittee may comply with the requirements in either paragraph (c)(1) or paragraph (c)(2) of §63.11094 (listed below). [§63.11094(c)]
  - a) An electronic copy of each record is instantly available at the terminal. [§63.11094(c)(1)]
    - i) The copy of each record in paragraph (c)(1) of this section is an exact duplicate image of the original paper record with certifying signatures. [§63.11094(c)(1)(i)]
    - ii) The Administrator is notified in writing that each terminal using this alternative is in compliance with paragraph (c)(1) of this section. [§63.11094(c)(1)(ii)]
  - b) For facilities that use a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out

system), a copy of the documentation is made available (e.g., via facsimile) for inspection by the Administrator's delegated representatives during the course of a site visit, or within a mutually agreeable time frame. [§63.11094(c)(2)]

- i) The copy of each record in paragraph (c)(2) of §63.11094 is an exact duplicate image of the original paper record with certifying signatures. [§63.11094(c)(2)(i)]
  - ii) The Administrator is notified in writing that each terminal using this alternative is in compliance with paragraph (c)(2) of §63.11094. [§63.11094(c)(2)(ii)]
- 5) The permittee subject to the equipment leak provisions of §63.11089 shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under §63.11089, the record shall contain a full description of the program. [§63.11094(d)]
- 6) The permittee subject to equipment leak inspections under §63.11089 shall record in the log book for each leak that is detected the information specified in paragraphs (e)(1) through (7) of §63.11094 (listed below). [§63.11094(e)]
  - a) The equipment type and identification number. [§63.11094(e)(1)]
  - b) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell). [§63.11094(e)(2)]
  - c) The date the leak was detected and the date of each attempt to repair the leak. [§63.11094(e)(3)]
  - d) Repair methods applied in each attempt to repair the leak. [§63.11094(e)(4)]
  - e) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak. [§63.11094(e)(5)]
  - f) The expected date of successful repair of the leak if the leak is not repaired within 15 days. [§63.11094(e)(6)]
  - g) The date of successful repair of the leak. [§63.11094(e)(7)]
- 7) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall: [§63.11094(f)]
  - a) Keep an up-to-date, readily accessible record of the continuous monitoring data required under §63.11092(b) or §63.11092(e). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record. [§63.11094(f)(1)]
  - b) Record and report simultaneously with the Notification of Compliance Status required under §63.11093(b): [§63.11094(f)(2)]
    - i) All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under §63.11092(b) or §63.11092(e); and [§63.11094(f)(2)(i)]
  - c) Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under §63.11092(b)(1)(i)(B)(2) or §63.11092(b)(1)(iii)(B)(2). [§63.11094(f)(3)]
  - d) Keep an up-to-date, readily accessible record of all system malfunctions, as specified in §63.11092(b)(1)(i)(B)(2)(v) or §63.11092(b)(1)(iii)(B)(2)(v). [§63.11094(f)(4)]
  - e) If the permittee requests approval to use a vapor processing system or monitor an operating parameter other than those specified in §63.11092(b), the permittee shall submit a description of planned reporting and recordkeeping procedures. [§63.11094(f)(5)]
- 8) the permittee shall keep records as specified in paragraphs (g)(1) and (2) of §63.11094. [§63.11094(g)]
  - a) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [§63.11094(g)(1)]

- b) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11085(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.11094(g)(2)]

**Reporting:**

- 1) The permittee must submit a Notification of Compliance Status as specified in 40 CFR §63.9(h). The Notification of Compliance Status must specify which of the compliance options included in Table 1 to Subpart BBBBBB is used to comply with 40 CFR Part 63, Subpart BBBBBB. [§63.11093(b)]
- 2) the permittee must submit a Notification of Performance Test, as specified in 40 CFR §63.9(e), prior to initiating testing required by §63.11092(a) or §63.11092(b). [§63.11093(c)]
- 3) The permittee must submit additional notifications specified in 40 CFR §63.9, as applicable. [§63.11093(d)]
- 4) The permittee subject to the control requirements of this subpart shall include in a semiannual compliance report to the Administrator the following information, as applicable: [§63.11095(a)]
  - a) For storage vessels, complying with options 2(a), 2(b), or 2(c) in Table 1 to Subpart BBBBBB, the information specified in 40 CFR §60.115b(a), §60.115b(b), or §60.115b(c), depending upon the control equipment installed, or, if you are complying with option 2(d) in Table 1 to this subpart, the information specified in §63.1066. [§63.11095(a)(1)]
  - b) For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility. [§63.11095(a)(2)]
  - c) For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection. [§63.11095(a)(3)]
  - d) For storage vessels complying with §63.11087(b) after January 10, 2011, the storage vessel's Notice of Compliance Status information can be included in the next semi-annual compliance report in lieu of filing a separate Notification of Compliance Status report under §63.11093. [§63.11095(a)(4)]
- 5) The permittee shall submit an excess emissions report to the Administrator at the time the semiannual compliance report is submitted. Excess emissions events under 40 CFR Part 63, Subpart BBBBBB, and the information to be included in the excess emissions report, are specified in §63.11095(b)(1) through (5) (listed below). [§63.11095(b)]
  - a) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the permittee failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained. [§63.11095(b)(1)]
  - b) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with §63.11094(b). [§63.11095(b)(2)]
  - c) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS. [§63.11095(b)(3)]
  - d) Each instance in which malfunctions discovered during the monitoring and inspections required under §63.11092(b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) were not resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction. [§63.11095(b)(4)]

- e) For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection: [§63.11095(b)(5)]
  - i) The date on which the leak was detected; [§63.11095(b)(5)(i)]
  - ii) The date of each attempt to repair the leak; [§63.11095(b)(5)(ii)]
  - iii) The reasons for the delay of repair; and [§63.11095(b)(5)(iii)]
  - iv) The date of successful repair. [§63.11095(b)(5)(iv)]
- 6) The permittee shall submit a semiannual excess emissions report, including the information specified in §63.11095(a)(3) and (b)(5), only for a 6-month period during which an excess emission event has occurred. If no excess emission events have occurred during the previous 6-month period, no report is required. [§63.11095(c)]
- 7) The permittee shall submit a semiannual report including the number, duration, and a brief description of each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by the permittee during a malfunction of an affected source to minimize emissions in accordance with §63.11085(a), including actions taken to correct a malfunction. The report may be submitted as a part of the semiannual compliance report, if one is required. The permittee is not required to submit reports for periods during which no malfunctions occurred. [§63.11095(d)]

**Permit Condition (EU-05, EU-10, EU-14 through EU-17) – 002, and  
Permit Condition (EU-18 and EU-25) – 002**

10 CSR 10-5.220 Control of Emissions During Petroleum Liquid Storage, Loading, and Transfer

**Operational Limitation:**

- 1) *Storage Tanks (EU-05, EU-10, EU-14, through EU-17):*
  - a) The permittee shall not cause or permit the storage in any stationary storage tank of more than forty thousand (40,000) gallons capacity of any petroleum liquid having a true vapor pressure of one and five-tenths (1.5) pounds per square inch absolute (psia) or greater at ninety degrees Fahrenheit (90 °F), unless the storage tank is equipped with floating roof, consisting of a pontoon type, double-deck type or internal floating cover, that rests on the surface of the liquid contents and is equipped with a closure seal(s) to close the space between the roof edge and tank wall. [10 CSR 10-5.220(3)(A)1.A.]
  - b) Control equipment described in 10 CSR 10-5.220(3)(A)1.A. (above) shall not be allowed if the petroleum liquid other than gasoline has a true vapor pressure of 11.1 psia or greater at ninety degrees Fahrenheit (90 °F). All storage tank gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place. [10 CSR 10-5.220(3)(A)2.]
- 2) *Loading Racks (EU-18 and EU-25):*
  - a) The permittee shall not cause or permit the loading of gasoline into any delivery vessel from a gasoline distribution facility unless the gasoline distribution facility is equipped with a vapor recovery system or equivalent. [10 CSR 10-5.220(3)(B)1.]
  - b) Gasoline loading shall be accomplished in a manner that the displaced vapors and air will be vented only to the vapor recovery system. Measures shall be taken to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected. The vapor disposal portion of the vapor recovery system shall consist of one (1) of the following: [10 CSR 10-5.220(3)(B)2.]

- i) An absorber system, condensation system, membrane system, or equivalent vapor disposal system that processes the vapors and gases from the equipment being controlled and limits the discharge of VOC into the atmosphere to ten (10) milligrams of VOC vapor per liter of gasoline loaded; or [10 CSR 10-5.220(3)(B)2.A.]
- ii) Other equipment of an efficiency equal to or greater 10 CSR 10-5.220(3)(B)2.A. if approved by the staff director. [10 CSR 10-5.220(3)(B)2.C.]

**Monitoring:**

- 1) The permittee shall operate the vapor recovery system and the gasoline loading equipment in a manner that prevents: [10 CSR 10-5.220(3)(G)1.]
  - a) Gauge pressure from exceeding four thousand five hundred (4,500) pascals (eighteen inches (18") of water) in the delivery vessel;
  - b) A reading equal to or greater than one hundred percent (100%) of the lower explosive limit (LEL), measured as propane at two point five (2.5) centimeters from all points on the perimeter of a potential leak source when measured by Method 21— Determination of Volatile Organic Compound Leaks as specified in 10 CSR 10-6.030(22) during loading or transfer operations; and
  - c) Visible liquid leaks during loading or transfer operations.
- 2) The permittee shall repair and retest within fifteen (15) days, a vapor recovery system that exceeds the limits in paragraph (3)(G)1. 10 CSR 10-5.220. [10 CSR 10-5.220(3)(G)2.]

**Recordkeeping/Reporting:** [10 CSR 10-5.220(4)]

- 1) The permittee shall maintain written records of maintenance (both routine and unscheduled) performed on the tanks, all repairs made, the results of all tests performed, and the type and quantity of petroleum liquid stored in them.
- 2) The permittee shall keep complete records documenting the number of delivery vessels loaded and their owners.
- 3) The permittee shall maintain records of department permits, inspection reports, enforcement documents, gasoline deliveries, routine and unscheduled maintenance, repairs, and all results of tests conducted.
- 4) Recordkeeping shall be accomplished in accordance with the requirements of 10 CSR 10-6.065, §(4)(C)1 and §(5)(C)1.C, General Recordkeeping and Reporting Requirements, as stated in Section V of this permit, and made available to the staff director within five (5) business days of a request.



**Permit Condition (EU-18) – 003**

10 CSR 10-6.060 Construction Permits Required

St. Louis City APCP Construction Permit No. 02-11-025, Issued March 25, 2003

**Operational Limitation:**

- 1) The permittee shall limit truck loading of ethanol to 45,990,000 gallons in any consecutive twelve month period.
- 2) The permittee shall limit truck loading of gasoline to 550,000,000 gallons in any consecutive twelve month period.

**Monitoring:**

- 1) The permittee shall route loading rack emissions from gasoline loading through a vapor recovery unit system. This system shall be capable of reducing the outlet emissions to a concentration of no greater than 10 milligrams of VOC vapor per liter of gasoline loaded.
- 2) The permittee shall conduct performance test on the vapor recovery system for VOC emission rate once every 60 months to ensure compliance. Pretest forms must be submitted to the Air Pollution Control Program at least 30 days prior to testing date.
- 3) Spills or leaks of more than 20 gallons shall be reported to this Program within 24 hours of the incident.

**Recordkeeping:**

- 1) The permittee shall maintain records of:
  - a) Monthly ethanol and gasoline track loading throughput records shall be kept along with a throughput total for every consecutive twelve month period. Example form is attached as Attachment E. The permittee may use this form, or forms of its own, so long as the forms used will accurately demonstrate compliance with the Operational Limitation 1) and 2) of this permit condition.
  - b) Maintenance and spills/leaks.
  - c) Vapor recovery system performance tests results.
- 2) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.
- 3) Recordkeeping shall be accomplished in accordance with the requirements of 10 CSR 10-6.065, §(4)(C)1 and §(5)(C)1.C, General Recordkeeping and Reporting Requirements, as stated in Section V of this permit.

**Reporting:**

- 1) The permittee shall report spills or leaks of more than 20 gallons to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or AirComplianceReporting@dnr.mo.gov within 24 hours of the incident.
- 2) The permittee shall report any exceedance of any terms and conditions of Construction Permit No. 02-11-025 to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or AirComplianceReporting@dnr.mo.gov, in writing within ten days.
- 3) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall also be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

**Permit Condition (EU-25) – 003**

10 CSR 10-6.060 Construction Permits Required

St. Louis City APCP Construction Permit No. 97-06-067, Issued September 30, 1997

St. Louis City APCP Construction Permit No. 07-08-015, Issued October 12, 2007

**Operational Limitation:**

- 1) Construction Permit No. 97-06-067:
  - a) The permittee shall not load more than 50,000 barrels of gasoline onto barges in any consecutive twelve month period.
  - b) The permittee shall not load gasoline with a Reid vapor pressure exceeding 7.0 psi onto the barges during ozone season, June 01 through September 15 of each year.
  - c) The permittee shall not allow the loading process to emit gases, vapors, or odors which endanger the health, comfort or safety of the public.
- 2) Construction Permit No. 07-08-015:
  - a) The permittee shall not load more than 10,080,000 gallons of ethanol onto barges in any consecutive twelve month period.
- 3) The permittee shall only load barges by submerged pipe method.

**Monitoring/Recordkeeping:**

- 1) The permittee shall maintain records of:
  - a) Monthly gasoline and ethanol barge loading throughput records shall be kept along with a throughput total for every consecutive twelve month period. Example form is attached as Attachment F. The permittee may use this form, or forms of its own, so long as the forms used will accurately demonstrate compliance with the Operational Limitation 1)a) and 2)a) of this permit condition.
  - b) Gasoline Reid vapor pressure.
  - c) Operating hours and number of barges loaded.
- 2) The permittee shall maintain all records for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.
- 3) Recordkeeping shall be accomplished in accordance with the requirements of 10 CSR 10-6.065, §(4)(C)1 and §(5)(C)1.C, General Recordkeeping and Reporting Requirements, as stated in Section V of this permit.

**Reporting:**

- 1) The permittee shall report any upsets that cause emissions (other than from normal submerged fill-pipe barge loading) to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or AirComplianceReporting@dnr.mo.gov within 24 hours of the incident.
- 2) The permittee shall report any exceedance of any terms and conditions of Construction Permit No. 02-11-025 to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or AirComplianceReporting@dnr.mo.gov, in writing within ten days.
- 3) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall also be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

**EU-27 – Additive Storage Tank 4**

Emission Unit	Description
EU-27	Tank 4 - 1,000 gallon vertical fixed roof additive storage tank

**Permit Condition (EU-27) – 001**

10 CSR 10-6.060 Construction Permits Required

New Source Review Permit Amendment - Permit No.: 96-02-013A, Issued December 29, 2014

**Operational Limitation:**

- 1) The permittee shall limit the use of EU-27 Additive Tank 4 to 12,000 gallons of UNISOL® Liquid Red BK-50 (additive) per consecutive 12-month period.
- 2) The permittee shall not use any materials in EU-27 Additive Tank 4 with a maximum vapor pressure in excess of 0.1195 psia at 62.8°F or containing HAPs (except ethylbenzene and xylene) without first obtaining written approval from the Air Pollution Control Program.

**Monitoring/Recordkeeping:**

- 1) The permittee shall document their monthly and 12-month rolling total usage of EU-27 Additive Tank 4 using Attachment G.
- 2) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include safety data sheets (SDS) for the additives being used.

**Reporting:**

- 1) The permittee shall report any upsets that cause emissions (other than from normal submerged fill-pipe barge loading) to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than 10 days after the end of the month during which any record required by this permit show an exceedance of a limitation imposed by this permit..
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall also be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

**EU-33 – Process Heater for Distillation Column**

Emission Unit	Description
EU-33	Process Heater for Distillation Column – 15 MMBtu/hr, natural gas-fired.

**Permit Condition (EU-33) – 001**10 CSR 10-6.261 Control of Sulfur Dioxide Emissions <sup>1</sup>**Operational Limitation:**

The permittee shall comply with the record keeping requirements of 6.261(4). [6.261(1)(A)]

**Monitoring/Recordkeeping:**

- 1) The permittee shall maintain a record of data, calculations, results, records, and reports from all fuel deliveries. [6.261(4)(A)3.]
- 2) The permittee must maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel delivery documentation containing the following information for all fuel purchases or deliveries are deemed acceptable: [6.261(4)(C)]
  - a) The name, address, and contact information of the fuel supplier; [6.261(4)(C)1.]
  - b) The type of fuel; [6.261(4)(C)2.]
  - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and [6.261(4)(C)3.]
  - d) The heating value of the fuel. [6.261(4)(C)4.]
- 3) The permittee must retain all required reports and records on-site for a minimum of five years and make available within five business days upon written or electronic request by the director. [6.261(4)(F)]
- 4) The permittee must furnish the director all data necessary to determine compliance status. [6.261(4)(G)]

**Reporting:**

- 1) The permittee shall report any exceedance of the limitations no later than ten days after an exceedance of the emission limitation.
- 2) The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the annual compliance certification reports required by Section V of this permit.
- 3) All reports and certifications shall be submitted to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).

<sup>1</sup> This regulation is state enforceable only. When this regulation is incorporated into the SIP, this permit condition will be state and federally enforceable.

## IV. Core Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR), Code of State Regulations (CSR), and local ordinances for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance. The following are only excerpts from the regulation or code, and are provided for summary purposes only.

### **10 CSR 10-6.045 Open Burning Requirements and St. Louis City Ordinance 68657 §16 Open Burning Restrictions**

- 1) No person shall cause, suffer, allow or permit the open burning of refuse.
- 2) No person shall conduct, cause or permit the conduct of a salvage operation by open burning.
- 3) No person shall conduct, cause or permit the disposal of trade waste by open burning.
- 4) No person shall cause or permit the open burning of leaves, trees or the byproducts therefrom, grass, or other vegetation.
- 5) It shall be prima-facie evidence that the person who owns or controls property on which open burning occurs, has caused or permitted said open burning.

### **10 CSR 10-6.050 Start-up, Shutdown and Malfunction Conditions**

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

**10 CSR 10-6.060 Construction Permits Required**

The permittee shall not commence construction, modification, or major modification of any installation subject to this rule, begin operation after that construction, modification, or major modification, or begin operation of any installation which has been shut down longer than five years without first obtaining a permit from the permitting authority.

**10 CSR 10-6.065 Operating Permits**

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall make such permit available within a reasonable period of time to any Missouri Department of Natural Resources personnel upon request.

**10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and****40 CFR Part 61 Subpart M National Emission Standard for Asbestos**

The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.

**10 CSR 10-6.110 Reporting of Emission Data, Emission Fees and Process Information**

- 1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 3) The permittee shall submit full EIQ's per the schedule in the rule. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 4) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.

**10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential**

This rule specifies the conditions that establish an air pollution alert (yellow/orange/red/purple), or emergency (maroon) and the associated procedures and emission reduction objectives for dealing with each. The permittee shall submit an appropriate emergency plan if required by the Director.

**10 CSR 10-6.150 Circumvention**

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

**10 CSR 10-6.165 Restriction of Emission of Odors****This is a State Only permit requirement.**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour.

**10 CSR 10-6.170 Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
  - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
  - b) Paving or frequent cleaning of roads, driveways and parking lots;
  - c) Application of dust-free surfaces;
  - d) Application of water; and
  - e) Planting and maintenance of vegetative ground cover.

**10 CSR 10-6.180 Measurement of Emissions of Air Contaminants**

- 1) The director may require any person responsible for the source of emission of air contaminants to make or have made tests to determine the quantity or nature, or both, of emission of air contaminants from the source. The director may specify testing methods to be used in accordance with good professional practice. The director may observe the testing. All tests shall be performed by qualified personnel.
- 2) The director may conduct tests of emissions of air contaminants from any source. Upon request of the director, the person responsible for the source to be tested shall provide necessary ports in stacks or ducts and other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants.
- 3) The director shall be given a copy of the test results in writing and signed by the person responsible for the tests.

**10 CSR 10-6.250 Asbestos Abatement Projects****Certification, Accreditation, and Business Exemption Requirements****This is a State Only permit requirement.**

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees.

**10 CSR 10-6.280 Compliance Monitoring Usage**

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at an installation:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

**10 CSR 10-5.040 Use of Fuel in Hand-Fired Equipment Prohibited**

No owner or operator shall operate applicable hand-fired fuel burning equipment unless the owner or operator meets the conditions set forth in 10 CSR 10-5.040. This regulation shall apply to all hand-fired fuel-burning equipment at commercial facilities including, but not limited to, furnaces, heating and cooking stoves and hot water furnaces. It shall not apply to wood-burning fireplaces and wood-burning stoves in dwellings, nor to fires used for recreational purpose, nor to fires used solely for the preparation of food by barbecuing or to other equipment exempted under 10 CSR 10-5.040. Hand-fired fuel-burning equipment is any stove, furnace, or other fuel-burning device in which fuel is manually introduced directly into the combustion chamber.



**10 CSR 10-5.060 Refuse Not to be Burned in Fuel Burning Installations**

(Rescinded on February 11, 1979, Contained in State Implementation Plan)

No person shall burn or cause or permit the burning of refuse in any installation which is designed for the primary purpose of burning fuel.

**40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)**

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
  - b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements contained in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82.*

## V. General Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

### Permit Duration

#### 10 CSR 10-6.065, §(4)(C)1, §(5)(C)1.B, §(4)(E)2.C

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

### General Record Keeping and Reporting Requirements

#### 10 CSR 10-6.065, §(4)(C)1 and §(5)(C)1.C

##### 1) Record Keeping

- a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
- b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made available within a reasonable period of time to any Missouri Department of Natural Resources' personnel upon request.

##### 2) Reporting

- a) All reports shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).
- b) The permittee shall submit a report of all required monitoring by:
  - i) April 1st for monitoring which covers the January through December time period.
  - ii) Exception. Monitoring requirements which require reporting more frequently than annually or semiannually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
- c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit.
- d) Submit supplemental reports as required or as needed. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
  - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (5)(C)7 of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of

emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

- ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's annual report shall be reported on the schedule specified in this permit.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

### **Risk Management Plan Under Section 112(r)**

#### **10 CSR 10-6.065 §(4)(C)1 and §(5)(C)1.D**

If the installation is required to develop and register a risk management plan pursuant to Section 112(R) of the Act, the permittee will verify that it has complied with the requirement to register the plan.

### **General Requirements**

#### **10 CSR 10-6.065(4)(C)1.A**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(5) and enforcement action for operating without a valid part 70 operating permit.

**Reasonably Anticipated Operating Scenarios****10 CSR 10-6.065(4)(C)1.C**

EU-10, Tank 88 is allowed to store Toluene for up to four months per year, as requested on the renewal amendment dated April 24, 2017, in order to blend with gasoline to meet RVP seasonal requirements for gasoline. Under this scenario, the permittee will continue to be subject to the Plant Wide Permit Condition PW001.

**Compliance Requirements****10 CSR 10-6.065, §(4)(B)4; §(4)(C)1, §(5)(C)3.B; and §(5)(C)3.D; and §(4)(C)3 and §(5)(C)3.E.(I) – (III) and (V) – (VI)**

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances must be included in the compliance certifications. The compliance certification shall include the following:
  - a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;
  - d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and

- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

**Emergency Provisions****10 CSR 10-6.065, §(4)(C)1 and §(5)(C)7**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(5)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
  - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

**Off-Permit Changes****10 CSR 10-6.065(4)(C)5**

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
  - b) The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

**Responsible Official****10 CSR 10-6.020(2)(R)34**

The application utilized in the preparation of this permit was signed by Rick Krejci, Director - Operations. On November 8, 2019, the Air Pollution Control Program was informed that Danny Morgan, Director of Operations is now the responsible official. If this person terminates employment, or

is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

**Reopening-Permit for Cause****10 CSR 10-6.065 §(4)(E)4 and §(5)(E)6.A(III)(a)-(c)**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MoDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;or
- c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

**Statement of Basis****10 CSR 10-6.065 §(4)(E)1.A and §(5)(E)1.C**

This permit is accompanied by a statement setting forth the legal and factual basis for the permit conditions (including references to applicable statutory or regulatory provisions). This Statement of Basis, while referenced by the permit, is not an actual part of the permit.

**VI. Attachments**

Attachments follow.

**Attachment A - VOC and HAP Calculation Methods**

Source	Calculation Methods
Loading/Unloading Racks	<p>Monthly emissions at loading rack will be calculated using the most recent emissions factor as determined by the latest performance test at the Vapor Recovery Unit (VRU), and the most recent methods and factors described in AP-42, "Compilation of Air Emission Factors," Section 5.2.</p> <p>For the loading rack a Fugitive Emission Factor of 13 mg/L will be used, per EPA-453/R-94-002b November 1994; Gasoline Distribution Industry (Stage I) - Background Information for Promulgated Standards.</p> <p>A 1.0 maximum saturation factor will be used for bottom loading found in AP-42, "Compilation of Air Emission Factors," Section 5.2.</p>
Storage Tanks	Emissions from storage tanks will be calculated by using the methods and factors in AP-42 "Compilation of Air Emission Factors," Section 7.1.
Natural Gas Combustion	Emissions will be calculated using emission factors in AP-42 "Compilation of Air Emission Factors," Section 1.4, and/or Section 13.5.
Distillation Column and Piping	Emissions from these sources will be calculated as reported in the latest EIQ and the emission factors per EPA-453/R-95-017, Protocol for Equipment Leak Emission.



## Attachment B - Highest Individual HAP Emission Tracking Sheet

This form is an example of a form which may be used to record individual HAP emissions. In order for Kinder Morgan to demonstrate compliance with the individual HAP limit(s), Kinder Morgan must demonstrate that the installation emits less than 10 tons of individual HAP in any consecutive 12-month period.

## 12 Month Rolling Average Recordkeeping Report

Highest Individual HAP Emission by Emission Unit (tons)

Monthly Individual HAP Emissions = the sum of the individual HAP emissions from each emission point

[illegible]

### Attachment C - Total HAPs Emission Tracking Sheet

This form is an example of a form which may be used record total HAPs emissions. In order for Kinder Morgan to demonstrate compliance with the aggregate HAP limit(s), Kinder Morgan must demonstrate that the installation emits less than 25 tons of all hazardous air pollutants combined in any consecutive 12-month period.

## 12 Month Rolling Average Recordkeeping Report

Total HAPs Emission by Emission Unit (tons)

Monthly Combined HAP = the sum of all individual HAP emissions from each emission point

[illegible]

## Attachment D - Plant-Wide VOC Emissions Tracking Sheet

This form is an example of a form which may be used to record VOC emissions. In order for Kinder Morgan to demonstrate compliance with the VOC limits, Kinder Morgan must demonstrate that the installation emits less than 100 tons of VOC in any consecutive 12-month period

Monthly VOC Emissions = the sum of VOC emissions from each emission point

[illegible]

**Attachment E – Truck Loading of Ethanol and Gasoline Compliance Worksheet**

This form is an example of a form which may be used to record the monthly and the consecutive 12-month limit of barge loading of gasoline and ethanol, Permit Condition (EU-18) - 003.

This sheet covers the period from \_\_\_\_\_ to \_\_\_\_\_.  
(Month, Year) (Month, Year)

Date (Month/Year)	Ethanol Loading		Gasoline Loading	
	Monthly Loading (gallons per month)	12-Month Rolling Total Loading <sup>1</sup> (gallons per year)	Monthly Loading (gallons per month)	12-Month Rolling Total Loading <sup>2</sup> (gallons per year)

- 1 12-Month Rolling Total Ethanol Loading (gallons per year) = the sum of the most recent 12 months' Ethanol Loading (gallons per month). **12-Month Truck loading of Ethanol of less than or equal to 45,990,000 gallons indicates compliance with Operational Limitation 1 of Permit Condition (EU-18) – 003.**
- 2 12-Month Rolling Total Gasoline Loading (gallons per year) = the sum of the most recent 12 months' Gasoline Loading (gallons per month). **12-Month Truck Loading of Gasoline of less than or equal to 550,000,000 gallons indicates compliance with Operational Limitation 1 of Permit Condition (EU-18) – 003.**

**Attachment F – Barge Loading of Gasoline and Ethanol Compliance Worksheet Permit**

This form is an example of a form which may be used to record the monthly and the consecutive 12-month limit of barge loading of gasoline and ethanol, Permit Condition (EU-18) - 003.

This sheet covers the period from \_\_\_\_\_ to \_\_\_\_\_.  
(Month, Year) (Month, Year)

Date (Month/Year)	Gasoline Barge Loading			Ethanol Barge Loading	
	Reid Vapor Pressure of Gasoline <sup>1</sup> (psi)	Monthly Gasoline Loading (Barrels per month)	12-Month Rolling Total Gasoline Loading <sup>2</sup> (gallons per year)	Monthly Ethanol Loading (gallons per month)	12-Month Rolling Total Ethanol Loading <sup>3</sup> (gallons per year)

- 1 Reid vapor pressure of gasoline less than or equal to 7.0 during ozone season, June 01 through September 15 of each year indicates compliance with Operational Limitation 2)b) of Permit Condition (EU-25) – 003
- 2 12-Month Rolling Total Gasoline Loading (barrels per year) = the sum of the most recent 12 months' Gasoline Loading (barrels per month). **12-Month Barge Loading of Gasoline of less than or equal to 50,000 barrels indicates compliance with Operational Limitation 1)a) of Permit Condition (EU-25) – 003.**
- 3 12-Month Rolling Total Gasoline Loading (gallons per year) = the sum of the most recent 12 months' Gasoline Loading (gallons per month). **12-Month Barge Loading of Ethanol of less than or equal to 10,080,000 gallons indicates compliance with Operational Limitation 2)a) of Permit Condition (EU-25) – 003.**

**Attachment G - Additive Compliance Worksheet**

This form is an example of a form which may be used to record the monthly and 12-month rolling additives usage, Permit Condition (EU-27) – 001.

This sheet covers the period from \_\_\_\_\_ to \_\_\_\_\_.  
(Month, Year) (Month, Year)

<b>Date Month/Year)</b>	<b>Monthly Additive Usage (gallons per month)</b>	<b>12-Month Rolling Total Additive Usage<sup>1</sup> (gallons per year)</b>

1 12-Month Rolling Total Additive Usage (gallons per year) = the sum of the most recent 12 months' Monthly Additive Usage (gallons per month).

**12-Month Rolling Total Additive Usage of less than or equal to 12,000 gallons indicates compliance with Special Condition 2.A. of Permit Condition (EU-27) – 001**

[illegible]

# STATEMENT OF BASIS

## **Voluntary Limitations**

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. Per 10 CSR 10-6.065(4)(C)1.A.(VI), if these limitations are exceeded, the installation becomes subject to 10 CSR 10-6.065(5) and enforcement action for operating without a valid part 70 operating permit. It is the permittee's responsibility to monitor emission levels and apply for a part 70 operating permit far enough in advance to avoid this situation. This may mean applying more than eighteen months in advance of the exceedance, since it can take that long or longer to obtain a part 70 operating permit.

## **INSTALLATION DESCRIPTION**

The Kinder Morgan Transmix Terminal in St. Louis, Missouri is a bulk transport loading facility for Gasoline and Fuel Oil Products.

The products are bottom loaded at the loading racks into transport tankers. The terminal is equipped to load Regular and Premium Unleaded Gasoline and also various grades of distillate fuels onto transports.

The loading racks are equipped with vapor recovery hoses positioned at the transport loading positions for hook up to the Vapor Control System. The vapor hoses and associated piping transports the vapors to the MCGILL Carbon Adsorption/Absorption Vapor Recovery Unit (VRU). The system also employs a liquid knock-out tank and pressure /vacuum relief vent upstream from the VRU.

Vapor Recovery Unit (VRU): -

Hydrocarbon vapors enter the McGill VRU into one of two carbon adsorbers. The Hydrocarbon - air mixture flows up through the absorber where the bulk of the hydrocarbons are absorbed. The air continues through the carbon adsorber and is vented to the atmosphere. The saturated carbon is then desorbed by employing vacuum regeneration at 27.5" mercury (Hg) vacuum, while the second carbon adsorber is receiving the hydrocarbon - air mixture generated in transport loading activity. The purpose of regeneration is to restore the carbon to a level where it will effectively adsorb hydrocarbons again. The two carbon adsorbers alternate between adsorption and regeneration at 15 minute intervals.

When a carbon adsorber is in the regeneration mode, a liquid ring vacuum pump pulls the hydrocarbon from the carbon. The rich hydrocarbon vapors from the carbon adsorber are mixed with the vacuum pump seal fluid and are discharged to an absorber/separator.

The liquid hydrocarbons are condensed and separated from the seal fluid in the separator compartment and are discharged back to a holding tank. Any remaining hydrocarbons pass up through the packed absorber tower and are contacted by a fresh stream of gasoline which absorbs most of the remaining hydrocarbons. The small amount of hydrocarbons that is left then leaves the top of the absorber and is directed back to the carbon adsorber where the whole process is repeated.

The installation is a synthetic minor source of volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) and a minor source of particulate matter less than ten microns in diameter (PM<sub>10</sub>), sulfur oxides (SO<sub>x</sub>), nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO).



### Updated Potential to Emit for the Installation and Reported Air Pollutant Emissions, in tons per year

Pollutants	Potential Emissions <sup>1</sup>	Reported Emissions				
		2018	2017	2016	2015	2014
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.48	0.29	0.28	0.32	0.30	0.32
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	0.48	0.29	0.28	0.32	0.30	0.32
Sulfur Oxides (SO <sub>x</sub> )	0.04	0.02	0.02	0.02	0.02	0.02
Nitrogen Oxides (NO <sub>x</sub> )	6.26	3.86	3.71	4.29	4.07	4.23
Volatile Organic Compounds (VOC)	Less than 100	23.15	26.69	33.10	32.33	34.01
Carbon Monoxide (CO)	5.26	3.24	3.12	3.60	3.42	3.55
Hazardous Air Pollutants (HAPs)	Less than 10/25	0.97	1.15	1.41	1.23	1.39

<sup>1</sup> The emissions of PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, NO<sub>x</sub>, and CO are from natural gas-fired process heater for distillation column are calculated based on maximum operation (up to 8760 hours per year). The maximum potential to emit for these pollutants is below the major thresholds of 100 tons per year therefore no plant-wide voluntary limit was taken.

Emissions of VOC and HAPS are limited below the major source thresholds in Permit Condition PW001.

### Permit Reference Documents

These documents were relied upon in the preparation of the operating permit. Because they are not incorporated by reference, they are not an official part of the operating permit.

- 1) Intermediate Operating Permit Application, received April 10, 2015; revised April 21, 2019;
- 2) 2018 Emissions Inventory Questionnaire, received date;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;
- 4) Construction Permit No. 96-02-013A, permit amendment to City of St. Louis Construction Permit No. 96-02-013, issued December 29, 2014 July 26, 2017;
- 5) Construction Permit No. 0442016-004, temporary or pilot plant permit for vapor combustor, issued April 5, 2016;
- 6) Applicability Determination Project No. 2017-04-052, No Permit Required;

## 7) City of St Louis Air Pollution Control Program Permits and Source Registrations:

Permit Number	Date Issued	Description
96-02-013	February 27, 1996	Permit to construct a 1,000 gallon horizontal fixed roof tank (Tank 4)
97-06-067	September 30, 1997	Permit for loading gasoline onto barges
07-08-015	October 12, 2007	Permit for the reconstruction of an ethanol barge loading system.
02-11-025	October 20, 2007	Permit for loading rack throughput modification

**Other Air Regulations Determined Not to Apply to the Operating Permit**

The Air Pollution Control Program (APCP) has determined that the following requirements are not applicable to this installation at this time for the reasons stated.

1) 10 CSR 10-6.070 *New Source Performance Standards.*

This rule is not applicable because no New Source Performance Standards apply to this facility.

2) 10 CSR 10-6.220 *Restriction of Emission of Visible Air Contaminants.*

The emission units at the installation do not emit particulate matter or other condensibles which would reduce the transmission of light or obscure the view of an object in the background. Since the significant emission units at this installation are VOC/HAP emitting sources, we have elected not to require the permittee to conduct monitoring of opacity.

3) 10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds*

The Process Heater for the Distillation Column (EU33) only burns pipeline natural natural gas. Combustion equipment that uses exclusively pipeline grade natural gas as defined in 40 CFR 72.2 or liquefied petroleum gas as defined by American Society for Testing and Materials (ASTM), or any combination of these fuels is exempt from the requirements of this rule.

4) 10 CSR 10-6.405 *Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating.*

This regulation does not apply to the process heater for the process heater is not used for an indirect heating.

**Construction Permit History**

There were no revisions made to construction permits for this installation.

**New Source Performance Standards (NSPS) Applicability**10 CSR 10-6.070, *New Source Performance Regulations*1) 40 CFR Part 60 - Subpart A, *General Provisions.*

The installation becomes subject to Subpart A - General Provisions upon becoming subject to an NSPS standard. If the installation is subject to various NSPS Standards; therefore, they are also subject to Subpart A.

2) 40 CFR Part 60 - Subpart K, *Standards of Performance for Storage Vessels for Petroleum Liquids.*

This subpart applies to each petroleum liquid storage vessel with a storage capacity greater than

151,412 liters (40,000 gallons), but not exceeding 246,052 liters (65,000 gallons), and commenced construction or modification after March 8, 1974, and prior to May 19, 1978. Additionally, this subpart also applies to each petroleum liquid storage vessel with a storage capacity greater than 246,052 liters (65,000 gallons) and commenced construction or modification after June 11, 1973, and prior to May 19, 1978.

A Petroleum liquid is any petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not include Nos. 2 through 6 fuel oils, gas turbine fuel oils Nos. 2-GT through 4-GT, or diesel fuel oils Nos. 2-D and 4-D.

This subpart does not apply to any of the tanks because the tanks were constructed, reconstructed/modified before the applicability date of this subpart or store diesel fuel oils.

- 3) 40 CFR Part 60 - Subpart Ka, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction Or Modification Commenced After May 19, 1978, and Prior to July 23, 1984.*

This subpart applies to each petroleum liquid storage vessel with a storage capacity greater than 151,412 liters (40,000 gallons) and commenced construction after May 18, 1978.

A Petroleum liquid is any petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not include Nos. 2 through 6 fuel oils, gas turbine fuel oils Nos. 2-GT through 4-GT, or diesel fuel oils Nos. 2-D and 4-D.

- 4) 40 CFR Part 60 - Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction Or Modification Commenced After July 23, 1984.*

This subpart applies to any tank storing a volatile liquid with a design capacity greater than or equal to 40 cubic meters (10,566-gallons) and installed after July 23, 1984. Note - Volatile organic liquid (VOL) as defined in this subpart means any organic liquid which can emit volatile organic compounds into the atmosphere except those VOL's that emit only those compounds which the Administrator has determined do not contribute appreciably to the formation of ozone.

This subpart does not apply to any of the tanks at the time of this permit issuance, either due to size, vapor pressure or date of construction.

- 5) NSPS Applicability Summary

Subpart K, Ka, and Kb do not apply to any of the tanks at the time of this permit issuance, either due to size, vapor pressure or date of construction. Therefore, the installation is not subject to any of the NSPS standards.

**Maximum Achievable Control Technology (MACT) Applicability**

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations*.

The installation is potentially subject to several MACT rules. Below is a summary of the potentially applicable subparts and the facilities applicability and compliance status to those subparts.

Industries subject to MACT standards are classified as either major sources or area sources.

- Major sources are sources that emit 10 tons per year of any of the listed HAPs, or 25 tons per year of a mixture of HAPs.
- Area sources are sources that emit less than 10 tons per year of a single HAP or less than 25 tons per year of a combination of HAPs.

The installation has the potential to emit various HAPs.

1) 40 CFR Part 63, Subpart BBBBBB - *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities*.

The purpose of this subpart is to establish national emission limitations and management practices for hazardous air pollutants (HAP) emitted from area source gasoline distribution bulk terminals, bulk plants, and pipeline facilities. This subpart applies to each area source bulk gasoline terminal, pipeline breakout station, pipeline pumping station, and bulk gasoline plant.

A bulk gasoline terminal is any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank and has a gasoline throughput of 20,000 gallons per day or greater. The facility does have a gasoline throughput of 20,000 gallons per day or greater. Thus, the Facility is a bulk gasoline terminal.

A bulk gasoline plant is any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, or cargo tank, and subsequently loads the gasoline into gasoline cargo tanks for transport to gasoline dispensing facilities, and has a gasoline throughput of less than 20,000 gallons per day. The facility receives and utilizes gasoline on-site. The facility does not load gasoline into gasoline cargo tanks for transport to gasoline dispensing facilities. Thus, the Facility is not a bulk gasoline plant.

A pipeline breakout station is a facility along a pipeline containing storage vessels used to relieve surges or receive and store gasoline from the pipeline for re-injection and continued transportation by pipeline or to other facilities. The facility is not located along a pipeline nor do they receive and store gasoline from a pipeline. Thus, the Facility is not a pipeline breakout station.

A pipeline pumping station is a facility along a pipeline containing pumps to maintain the desired pressure and flow of product through the pipeline, and not containing gasoline storage tanks other than surge control tanks. The facility is not along a pipeline and does not contain pumps to maintain the desired pressure. Thus, the Facility is not a pipeline pumping station.

The facility is an area source gasoline distribution bulk terminal. Therefore, the facility is subject to this subpart.

2) 40 CFR Part 63, Subpart CCCCCC - *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities*.

The purpose of this subpart is to establish national emission limitations and management practices

for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tanks at gasoline dispensing facilities (GDF). The affected source to which this subpart applies is each GDF that is located at an area source.

A gasoline dispensing facility (GDF) is any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.

The installation is not a gasoline dispensing facility (GDF). Therefore, the installation is not subject to this subpart.

3) 40 CFR Part 63, Subpart R - *National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)*.

This subpart applies to bulk gasoline terminal which is a major source of HAPs or is located within a contiguous area and under common control of a facility that is a major source of HAPs, as defined in §63.2 of subpart A of 40 CFR Part 63.

This regulation does not apply to the installation because the installation is not a major source of HAPs.

4) MACT Applicability Summary:

Kinder Morgan is currently area source HAPs. Based upon a comparison of the installations operations to each MACT Standard (area and major standards), the installation is subject to the following MACT Standard:

- Subpart BBBBBB - Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities

**National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability**

10 CSR 10-6.080, *Emission Standards for Hazardous Air Pollutants*.

1) 40 CFR Part 61 Subpart M – *National Emission Standard for Asbestos*.

The installation is not subject to any NESHAP standard with the exception of Subpart M - National Emission Standard for Asbestos. The installation is potentially subject to Subpart M. If the installation conducts any demolition or renovation projects to a building(s) containing asbestos, they must determine applicability with the following NESHAP regulations:

- Demolition and Renovation - 40 CFR 61.145
- Waste Disposal for Manufacturing, Fabricating, Demolition, Renovation, and Spraying - 40 CFR 61.150

**Greenhouse Gas Emissions**

There are no currently issued GHG regulations applicable to this installation. Missouri regulations do not require the installation to report CO<sub>2</sub>e emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO<sub>2</sub>e emissions were not included within this permit.

**Other Regulatory Determinations**

The Air Pollution Control Program (APCP) has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

1) 10 CSR 10-5.220, *Control of Petroleum Liquid Storage, Loading and Transfer*.

According to 10 CSR 10-5.220 (3)(A)1., petroleum storage tanks that contain a petroleum liquid with a true vapor pressure less than one and five-tenth (1.5) pounds per square inch absolute (psia) at ninety degrees Fahrenheit (90°F) are exempt from this rule. Diesel fuel No. 2 storage tanks are not subject to the requirements of this rule because fuel oil number 2 has a true vapor pressure of 0.016 psia at 90°F (AP-42, Table 7.1-2, Properties of Selected Petroleum Liquids) below the vapor pressure that triggers the requirements of the rule.

2) 10 CSR 10-5.500, *Control of Emissions from Volatile Organic Liquid Storage*.

The provisions of this rule applies to all storage vessels of volatile organic liquid (VOL) with a maximum true vapor pressure of one-half pound per square inch (0.5 psia) or greater in any stationary tank, reservoir or other container of forty thousand (40,000) gallon capacity or greater, except to vessels listed in 10 CSR 10-5.500(1)(C)1. through 6.

- This rule does not apply to storage vessels that are subject to the requirements of 10 CSR 10-5.220.
- Diesel oil No. 2 storage vessels are not subject to the requirements if this because fuel oil number 2 has a true vapor pressure of 0.016 psia at 90°F below the vapor pressure that triggers the requirements of the rule.

3) Emission Units Without Limitations:

The emission units listed as units without limitations are not subject to any specific rule except the installation wide requirement of Permit Condition PW001, 10 CSR 10-6.065(2)(O) and 10 CSR 10-6.065(4)(C)2. Voluntary Limitation(s).

**Other Regulations Not Cited in the Operating Permit or the Above Statement of Basis**

Any regulation which is not specifically listed in either the Operating Permit or in the above Statement of Basis does not appear, based on this review, to be an applicable requirement for this installation for one or more of the following reasons.

- 1) The specific pollutant regulated by that rule is not emitted by the installation.
- 2) The installation is not in the source category regulated by that rule.
- 3) The installation is not in the county or specific area that is regulated under the authority of that rule.
- 4) The installation does not contain the type of emission unit which is regulated by that rule.
- 5) The rule is only for administrative purposes.

Should a later determination conclude that the installation is subject to one or more of the regulations cited in this Statement of Basis or other regulations which were not cited, the installation shall determine and demonstrate, to the Air Pollution Control Program's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the APCP a schedule for achieving compliance for that regulation(s).

## Response to Public Comments

The draft Intermediate Operating Permit for the Kinder Morgan Transmix Company was placed on public notice on November 15, 2019 for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <https://dnr.mo.gov/env/apcp/permit-public-notice.htm>. Public comments were received from Mr. Bob Menees, Great Rivers Environmental Law Center, on behalf of the St. Louis City Branch of the National Association for the Advancement of Colored People (NAACP) and the Missouri State Conference of the NAACP. The comments do not address specific points within the draft permit but instead address compliance with Title VI of the Civil Rights Act of 1964 and EPA Regulations and Guidance Promulgated Thereunder.

The commenters assert that, to remedy violations of Title VI of the Civil Rights Act of 1964 and EPA Regulations and Guidance, MDNR should require the Kinder Morgan Transmix Company, LLC, to conduct a robust analysis of disproportionate impacts to the Dutchtown, Mt. Pleasant, Marine Villa and Gravois Park neighborhoods in South St. Louis City (collectively referred to as "Dutchtown" in the comments), including cumulative impacts from other nearby permitted facilities regulated by MDNR under the Clean Air Act (CAA), and allow public comment on that disproportionate impacts analysis. Alternatively, MDNR should conduct such analysis itself for public comment.

MDNR should develop a complaint procedure whereby members of minority and low-income communities are provided a vehicle to address potential environmental justice and civil rights issues in MDNR's air permitting process. In addition, MDNR should create a position for an Environmental Justice liaison to operate across all MDNR programs that receive federal funding to engage and inform minority and low-income communities whenever the MDNR conducts permitting and siting decisions that might have disproportionate impacts on such communities.

Finally, the draft permit document published by MDNR does not raise or identify the issue of disproportionate impacts at all, much less conduct a disproportionate impacts analysis for VOCs, PM<sub>10</sub>, HAPs, SO<sub>x</sub>, NO<sub>x</sub>, CO, or the other pollutants emitted by Kinder Morgan on minority and low-income communities around the facility. Without consideration of environmental justice issues, MDNR's actions in approving the draft permit will have an adverse impact that is discriminatory on the bases of race, color, or national origin, and on the basis of economic status. Under the draft permit, residents living near and within the Dutchtown neighborhood will be exposed to VOCs, PM<sub>10</sub>, HAPs, SO<sub>x</sub>, NO<sub>x</sub>, and CO in amounts that are likely to threaten human health. Residents in this area are disproportionately Black and Hispanic, low-income, and have limited English proficiency compared to other areas of St. Louis. Therefore, MDNR's decision to approve Kinder Morgan's Operating Permit as drafted will disparately impact minority and low-income communities in violation of Title VI.

### Response to Comments:

Neither the Department nor the Kinder Morgan Transmix Company LLC are required to conduct the analyses requested. If an application complies with the requirements of the State's authorized permit program, and the source is in compliance with its construction permit(s), the Department must issue the permit in accordance with § 643.078, RSMo. The Department notes, however, that the state and federal regulations the Department applies in developing and issuing

Title V Part 70 operating permits were promulgated to protect human health and the environment from potential adverse impacts of air pollution.

The Department believes that it has complied with Title VI of the Civil Rights Act of 1964 in developing this permit.

Opportunities to express concerns are available. The Department maintains the following website to solicit public participation: <https://dnr.mo.gov/env/apcp/permit-public-notice.htm>. The public can sign up to receive e-mail notices when a new permit is posted for public comment by following the instructions on the form that appears after clicking on the graphic that reads, "Get Updates on this Issue." This website contains information on permits that are open for public comment and other air quality issues for which the Department is soliciting public comments. Additionally, the public is encouraged to contact the Air Pollution Control Program and our Regional Offices to discuss any concerns. Contact information for the offices can be found at <https://dnr.mo.gov/regions/index.html>.



Rick Krejci  
Kinder Morgan Transmix Company, LLC  
4070 South First Street  
St. Louis, MO 63118

Re: Kinder Morgan Transmix Company, LLC,  
Installation ID: 510-2939, Permit Number: OP2020-008

Dear Rick Krejci:

Enclosed with this letter is your intermediate operating permit. Please review this document carefully. Operation of your installation in accordance with the rules and regulations cited in this document is necessary for continued compliance. It is very important that you read and understand the requirements contained in your permit.

This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request a CAV, please contact your local regional office or fill out an online request. The regional office contact information can be found at <http://dnr.mo.gov/regions/>. The online CAV request can be found at <http://dnr.mo.gov/cav/compliance.htm>.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Berhanu Getahun at the St. Louis Regional Office, 7545 S. Lindbergh, Suite 210, St. Louis, MO 63125, or by telephone at (314) 416-2960. You may also contact me with the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Michael J. Stansfield, P.E.  
Operating Permit Unit Chief

MJS/bg

Enclosures

c: PAMS File: 2015-04-028

<b>MISSOURI DEPARTMENT OF NATURAL RESOURCES FOLDER TRANSMITTAL ROUTING SHEET</b>	<b>Operating Permits</b>	
Kinder Morgan Transmix Company, LLC		2015-04-028
Originator: Berhanu A. Getahun	Telephone: (314) 416-2451	Date: 4/22/20
Typist: Angela Wagner		File Name: P:\APCP\Permits\Users\Berhanu Getahun\OP - Intermediate\2015-04-028 Kinder Morgan (510-2939)\Drafts\2. Draft Pmt\2015-04-028 Kinder Morgan Transmix Company, LLC post PN.docx
<b>SIGNATURE APPROVAL OF:</b> <input type="checkbox"/> Program Director <input type="checkbox"/> Section Chief <input type="checkbox"/> Unit Chief		
<b>ROUTE TO:</b>		
		Submitted
		Returned
<input type="checkbox"/>	Unit Chief – Initial Review	Date: 11/12/2019
<input type="checkbox"/>	Unit Chief – Response to Comments	Date: 02/19/2020
<input type="checkbox"/>	Section Chief	Date:
<input type="checkbox"/>	Program Director	Date:
<b>Comments:</b>		